

AN ACT

ENTITLED, An Act to provide for and to require the attachment of an affidavit in certain garnishment proceedings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 21-18-31 be amended to read as follows:

21-18-31. The plaintiff may in all cases move the court upon the answer of the garnishee and of the defendant, if the defendant shall also answer, for such order as the plaintiff is entitled to thereon. Such order is not a bar beyond the facts stated in such answers. The plaintiff shall attach an affidavit to the motion setting forth:

- (1) Amount that is owed on judgment and accrued interest;
- (2) Additional costs claimed;
- (3) Credit for any payments made;
- (4) Net balance due;
- (5) Specific request for payment of the garnished amount sufficient to satisfy judgment; and
- (6) Any surplus shall be returned to defendant.

An Act to provide for and to require the attachment of an affidavit in certain garnishment proceedings.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1086

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1086
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State